



**SCOTTSDALE DEVELOPMENT REVIEW BOARD
KIVA - CITY HALL
3939 N. DRINKWATER BOULEVARD
DECEMBER 15, 2005
APPROVED REGULAR SESSION MINUTES**

PRESENT: Wayne Ecton, Council Member
Michael D'Andrea, Development Member
Jeremy A. Jones, Design Member
Kevin O'Neill, Development Member
Michael Schmitt, Design Member
Jeffery Schwartz, Commission Member

ABSENT: E.L. Cortez, Vice-Chairman

STAFF: Donna Bronski
Mac Cummins
Lusia Galav
Randy Grant
Sherry Scott
Greg Williams

ROLL CALL

A formal roll call confirmed members present as stated above.

OPENING STATEMENT

Councilman Ecton read the opening statement that describes the role of the Development Review Board and the procedures used in conducting this meeting.

MINUTE APPROVAL

1. December 1, 2005 DRB Study Session Minutes
2. December 1, 2005 Regular Meeting Minutes

BOARD MEMBER JONES MOVED TO APPROVE THE DECEMBER 1, 2005 MINUTES OF THE DEVELOPMENT REVIEW BOARD. SECONDED BY BOARD MEMBER SCHMITT, THE MOTION CARRIED UNANIMOUSLY BY A VOTE OF SIX TO ZERO.

APPROVED 01/05/2006 - bdf

CONTINUANCES

3. 100-DR-2005 Main St. Plaza - Building Improvements
Changes to Exterior Skin
7001 E. Main Street
Lamb Architects, Architect/Designer

**BOARD MEMBER JONES MOVED TO CONTINUE CASE 100-DR-2005.
SECONDED BY BOARD MEMBER SCHMITT, THE MOTION CARRIED
UNANIMOUSLY BY A VOTE OF SIX (6) TO ZERO (0).**

CONSENT AGENDA

4. 70-DR-2004 The Park @ Scottsdale Mall
Site Plan & Elevations
7343 E. 2nd Street
CMD Architects, Architect/Designer

Commissioner Schwartz opined that this is a phenomenal design and expressed excitement about what is happening in this area.

**COMMISSIONER SCHWARTZ MOVED TO APPROVE 70-DR-2004.
SECONDED BY BOARD MEMBER D'ANDREA, THE MOTION CARRIED
UNANIMOUSLY BY A VOTE OF SIX (6) TO ZERO (0).**

5. 85-DR-2005 Pacific Realty Advisors
Site Plan & Elevations
4238 N. Craftsmans Court
Sam J. West, Architect/Designer
6. 87-DR-2005 Lowe's Home Improvement
Site Plan & Elevations
7950 E. McDowell Road
Kurt D. Reed Associates, Inc., Architect/Designer

BOARD MEMBER D'ANDREA MADE A MOTION TO MOVE ITEMS 85-DR-2005 AND 87-DR-2005 TO THE REGULAR AGENDA. SECONDED BY BOARD MEMBER JONES, THE MOTION CARRIED UNANIMOUSLY BY A VOTE OF SIX (6) TO ZERO (0).

REGULAR AGENDA

6. 87-DR-2005 Lowe's Home Improvement
Site Plan & Elevations
7950 E. McDowell Road
Kurt D. Reed Associates, Inc., Architect/Designer

Mr. Cummins addressed the Board. Pursuant to request by Commissioner Schwartz, Mr. Cummins presented the project elevations.

Commissioner Schwartz opined that the proposed project is a rack design of other Lowe's centers and urged that with the evolution of McDowell, more character needs to be established. He would like to see a different style, high quality, different look of the Lowe's center in this location. He further requested that additional established landscaping be included in the landscaping pallet. He opined that the project, when it is built, should appear as though it has been in the community for 10 or 15 years.

Board Member D'Andrea opined that the project is well done and the character of the proposed Lowe's store is quite nice. He noted that the developer went out of their way to implement upgrades and costs into the building over and above what was needed for that function. He agreed with comments made by Board Member Jones in the study session regarding the Opera House color.

Councilman Ecton expressed understanding of comments presented by Commissioner Schwartz in that this project is in a very special place at a very special time in Scottsdale's history. He noted that the project is one of the nicest big boxes seen in the area and invited the Applicant to address comments by Commissioner Schwartz.

Tom Reef, Land Development Services, 4413 North Saddlebag Trail, addressed the Board. In response to comments, Mr. Reef stated that Lowe's is a very high quality product. Recognizing that this is a very special area, Lowe's is spending 1.5 million more on the site development than is typically done in other areas. The architectural team has worked with staff to develop a project that is unique and responsive to the concerns that staff posed during the design process. Substantial setbacks and substantial landscaping are being installed along the street frontage. In addition, staff has included a stipulation to add additional landscaping tree diamonds in the parking lot, which is over and above the ordinance requirements.

Upon request by Councilman Ecton, project architect Jack Swanson, addressed comments from the architectural standpoint, noting staff's preference for a residential theme. He noted the addition of color, materials, and projections to give shade and shadow on all four sides of the building. He reported that this project represents a huge upgrade to what a standard Lowe's store would be.

Commissioner Schwartz reiterated points previously made. Mr. Swanson argued points previously presented.

Board Member Jones discussed the postmodern style of architecture and also noted the importance of Lowe's having a project that is easily recognized in their product line. He noted that the positive features of the building include the use of color in an interesting way and the scale reduction of the big box in general. He suggested that the Board support the efforts that have been made on the project and expressed support for the project as presented.

John Nellis, resident, addressed the Board, requesting clarification regarding the proposed driveway. Mr. Cummins explained that staff stipulated a condition requiring cross-access to the west. The current site plan consists of a driveway connecting to the parcel to the west.

Donna Bransy, neighbor behind the site, expressed favor for the upgrade and excitement about the architectural choices. She addressed residents concerns regarding drainage, the width of the sidewalk, security issues and accumulation of trash behind the store.

Mr. Cummins reported that the drainage issue has been resolved through a preliminary drainage study. Mr. Cummins confirmed that there will be no changes in the drainage system that will impact the neighbors to the north. The design of the sidewalk along Hayden has not yet been designed by the City's Transportation Division; however, the intention is to have a right-hand deceleration lane for southbound Hayden traffic to westbound McDowell traffic, which will cause some modification of the ultimate sidewalk design. Regarding the loading dock issue, staff can devise a stipulation requiring that storage of materials not occur at that location.

Upon further inquiry by Councilman Ecton regarding the drainage concerns, Ms. Galav noted that the City requirements specify that each site must provide drainage capabilities on its own site. Commissioner Schwartz confirmed that the drainage from the north will be allowed to convey across the subject property into the City storm drain.

Peter Vesecky, DEI, confirmed that the drainage flow from the north will not be blocked.

Councilman Ecton requested assurance for the neighbors that storage and trash collection will not be allowed to accumulate behind the store.

Mr. Vesecky assured that the storage of materials behind the store will not occur in this situation. In response to further inquiry by Councilman Ecton, Mr. Cummins explained that the stipulations for the northern Lowe's store are different than those for the proposed project. Discussion ensued regarding policy enforcement relating to stipulations.

Mr. Vesecky clarified the situation pertaining to the photographs presented to the Board by Ms. Bransy. Discussion ensued regarding typical operations, pallet storage areas, truck deliveries and temporary storage, during which Anthony Farman, Site Development Manager, also addressed the Board.

In response to inquiry by Board Member O'Neill, Mr. Cummins confirmed that the Board is requesting an additional stipulation requiring that nothing be stored outside. Mr. Cummins suggested that a stipulation requiring that all materials be brought inside at the end of the day would address the spirit of the concern.

Board Member D'Andrea opined that the photos presented by Ms. Bransy were taken behind a gated area at the northern location. Mr. Farman confirmed and suggested establishing a condition requiring that the rear of the store must be cleaned up on a regular basis. Further discussion regarding the issue ensued.

Councilman Ecton suggested a stipulation requiring that the rear of the store be cleaned up on a regular basis.

Board Member D'Andrea suggested placement of screen fencing around the delivery area in an effort to screen pallets placed at the rear of the store on a temporary basis. Mr. Farman confirmed that there are two sets of double-wide gates at the back of the property. Lowe's will absolutely comply with screening the gates, eliminating the view to the rear of the store.

Commissioner Schwartz commented that buildings change faces once in a lifetime. Noting only one chance to build this building, he challenged the Applicant to return to the Board with a more modern and daring design.

Mr. Farman responded, noting that the cost estimate of this particular Lowe's with the architectural features, the colors and enhancements that have been implemented into this particular design, represent 1.5 million dollars in upgrades than an a typical Lowe's building. Commissioner Schwartz argued that his request is not to alter the cost projection on the building; reiterating his request for the character of the building to be more modern and daring.

BOARD MEMBER D'ANDREA MOVED TO APPROVE 87-DR-2005, WITH THE ADDED STIPULATIONS THAT THE DEVELOPER REVIEW THE PAINT COLOR (OPERA HOUSE) AND THAT ANY STORAGE OR STORAGE MATERIALS OR GARBAGE PALETTS ET CETERA, BE REMOVED ON A REGULAR BASIS, WHICH WOULD BE A MINIMUM OF THREE TIMES WEEKLY. SECONDED BY BOARD MEMBER JONES.

Upon inquiry by Board Member O'Neill, Board Member D'Andrea amended the motion to include:

AND THAT THE DEVELOPER INCLUDE A SCREEN WALL TO ALL AREAS THAT WILL HAVE DELIVERIES OR STORAGE EXTERNALLY TO THE BUILDING.

Councilman Ecton clarified that the Applicant previously agreed to comply with the proposed requirement and the additional stipulation is therefore unnecessary.

Upon request for clarification by Mr. Cummins, Board Member D'Andrea confirmed that the rear area is adequately covered, but the loading dock area requires additional screening.

SECONDED BY BOARD MEMBER JONES, THE MOTION CARRIED BY A VOTE OF FIVE (5) TO ONE (1). COMMISSIONER SCHWARTZ DISSENTED.

5. 85-DR-2005 Pacific Realty Advisors
Site Plan & Elevations
4238 N. Craftsmans Court
Sam J. West, Architect/Designer

Mr. Cummins presented context photographs of the area obtained by staff subsequent to the study session.

Board Member D'Andrea requested that material samples be obtained on each application as it comes forward, as well as an accurate representation of the

building as possible. He noted that the building in this case is not going to appear as the building depicted in the packet received by the Board.

Board Member O'Neill agreed with Board Member Jones in the fact that this particular case need not be delayed. He expressed favor for the review process suggested by Commissioner Schwartz in the study session, the opportunity to investigate the area and make decisions about the future context of the area; however, opined that such cannot be accomplished in a timely manner which would accommodate this particular case.

Board Member Jones concurred. He noted the evolving character of the south part of the City. Applicant's are attempting to conform to what is seen as the tradition. Staff looks to the DRB for guidelines. If the Board wants more modern buildings, the DRB needs to find ways to make that clear to the staff before project applications are submitted.

In response to inquiry by Board Member Jones regarding the red balcony, Mr. West confirmed that signage will not appear on the balcony.

Board Member Schmitt concurred with the idea that some guidelines would be helpful. Upon reviewing the guidelines distributed to the Board, it occurs to him that the guidelines may need to be updated. However, it also appears that the Applicant has followed the guidelines that are currently established and he has no problem with the project as presented. He noted that the mature trees shown in the photographs screen the streetscape and will provide glimpses and pieces of colors through the trees.

Upon inquiry by Commissioner Schwartz, Mr. Grant noted that the guidelines were established in the mid-80's and it is very likely that things have changed. He opined that the issue should be evaluated thoroughly and would likely not occur before next summer or fall.

Commissioner Schwartz reiterated points previously stated regarding the importance of establishing guidelines. Mr. Grant explained that flexibility was intentionally built into the guidelines. Following the principals would allow for enough flexibility to do different things with building design and yet still achieve the same goals in terms of the streetscape. He agreed that there are some changes that need to be made to the guidelines; however, the current design guidelines are the document that projects are measured against. The eclectic nature of Craftsman Court reflects the flexibility that was built in to allow people to do different things within the context of achieving the overall goals.

Mr. West reported reviewing the guidelines for the area and opined that the project is near 90 percent in conformance to guideline specifications. The owner will occupy the top floor. Cars will be parked in the garage. Closing is scheduled to occur on December 19th.

Yvonne Bowtell, neighbor, inquired regarding the timeframe for approval, building construction, noise level, build-out time, ingress/egress to the neighboring office and the overall general process following approval of the application.

Mr. Grant noted that access to the building via the pedestrian sidewalk would not be restricted any more than is necessary to achieve the improvements for the overhang and for safety reasons. Keeping the sidewalk open is a priority. There will be some noise associated with the construction, but as minimal as possible.

Mr. West addressed construction issues, noting that the construction contract calls for a six month construction period. There is approximately two weeks allocated for demolition. Trucks hauling away debris will do so prior to 10:00 in the morning.

In response to inquiry by Councilman Ecton, Mr. West stated that the six month construction period will begin as soon as a building permit is issued; likely 60 to 90 days.

Board Member D'Andrea expressed a preference for an aluminum storefront as opposed to wood. Mr. West confirmed that the material will be aluminum and the color chosen will be complimentary and close to a wood color. The powder coated fascia will be a soft black. The CMU wall is a 4-inch block. Board Member D'Andrea requested that the Applicant return to staff with a revised elevation of the final product.

In closing, Board Member D'Andrea expressed support for the project. Mr. West reiterated that there will be no signage on the glass.

BOARD MEMBER JONES MOVED TO APPROVE 85-DR-2005 WITH TWO STIPULATIONS: 1) THAT THE ARCHITECT RETURN TO A STUDY SESSION WITH A COMPLETED AND ACCURATE COLOR BOARD SHOWING ALL OF THE MATERIALS AND A SKETCH THAT PORTRAYS THE ACTUAL USE OF THE MATERIALS; AND 2) THAT THERE BE NO SIGNAGE ON THE GLASS. SECONDED BY BOARD MEMBER D'ANDREA, THE MOTION CARRIED BY A VOTE OF FIVE (5) TO ONE (1). COMMISSIONER SCHWARTZ DISSENTED.

Upon inquiry by Commissioner Schwartz regarding the process by which the Board can initiate an update to the Downtown Design Guidelines, Mr. Grant noted that City Council sets the agenda. If the Council directs that this matter is a high priority, staff will redirect their work load accordingly.

In response to inquiry by Board Member O'Neill, Mr. Grant noted that Board Members are interpreting the guidelines when acting on cases individually. By the process of making those interpretations, the Board may be creating an evolutionary process that the guidelines morph into something a little differently. He suggested that perhaps one of those would be a work study session on one or all of the theme areas in the downtown and discuss the kinds of things that the Board would like to see and have staff relay to applicants.

Board Member O'Neill suggested initiating the recommendation that the Board begin addressing each of those areas in future study sessions.

ADJOURNMENT

With no further business to discuss, the regular session of the Scottsdale Development Review Board was adjourned at 2:31 p.m.

Respectfully submitted,
A-V Tronics, Inc.